

## United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

Elizabeth Cantu  
A208 152 267  
United States CitizenPRINCIPAL  
YOB: 1996United States District Court  
Southern District of Texas  
FILED

## CRIMINAL COMPLAINT

Case Number:

M-15-0363-M

MAR 11 2015

## Clerk of Court

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about March 09, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,

(*Track Statutory Language of Offense*)

knowing or in reckless disregard of the fact Nereyda Gutierrez-Velasco and Jorge David Gonzlaez-Vega, nationals of the Mexican United States, along with one (1) other undocumented aliens, for a total of three (3), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near Rio Grande City, Texas to the point of arrest near Sullivan City, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY  
 I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On March 09, 2015, Border Patrol Agent R. Rodriguez responded to a call from Texas Department of Public Safety Trooper Valdez, regarding a vehicle stop in Sullivan City, Texas. Officer Valdez issued the driver, Elizabeth CANTU a citation for speeding. Trooper Valdez advised that while performing the vehicle stop, he observed five subjects inside the vehicle and once the vehicle made a complete stop two subjects ran out of the vehicle into the nearby brush. Agent Rodriguez questioned all occupants to their citizenship and status; Cantu was found to be a citizen of the United States and it was determined that the other three subjects were illegally present in the United States. All of the subjects were transported to the Rio Grande City, Texas Border Patrol Station for processing. Agents Bugenhagen and Rodriguez searched the surrounding area but the other two subjects were not located.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

*Approved Joseph Leonard*
 Yes  No

Signature of Complainant

Israel Perez Senior Patrol Agent

Printed Name of Complainant

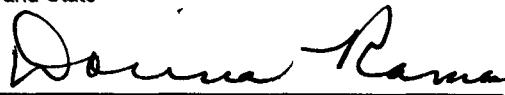
at McAllen, Texas

City and State

Sworn to before me and subscribed in my presence,

March 11, 2015

Date

Dorina Ramos, U. S. Magistrate Judge  
Name and Title of Judicial Officer
  
 Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-15-0363-M**

**RE: Elizabeth Cantu**

**A208 152 267**

**CONTINUATION:**

**PRINCIPAL STATEMENT:**

At the Border Patrol Station, Elizabeth Cantu was advised of the rights by agents and advised she understood her rights and agreed to provide a statements without the presence of a lawyer.

Elizabeth Cantu stated she had been previously arrested for smuggling 5 illegal aliens about a month ago. In that incident she admitted to having one in the front seat two in the back seat and two inside her trunk when she was pulled over. Cantu stated she was going to be paid \$160.00 dollars for each a total of \$800.00 dollars for that incident by Jorge but was never paid but she was apprehended by Border Patrol. Cantu explained that Jorge once again contacted her again to pick up another 5 illegals at the same location she picked up illegals last month. She stated that she was going to be paid \$200.00 dollars for each totaling \$1,000.00 dollars this load. Cantu was receiving instruction via phone from a friend of Jorge's named Oliver. Cantu was instructed drive to Las Palmas and pick up a maroon car that she would use to transport the five illegal aliens. Cantu states that when she arrived at the park she saw the vehicle with the driver's side window down and the key inside. She then drove the car to the location she was to pick up the illegal aliens. Once the aliens loaded into the car, she drove away and instructed the illegal aliens to lower their heads.

**MATERIAL WITNESS STATEMENTS:**

Nereyda GUTIERREZ-Velasco and Jorge David Gonzalez Vega were advised of their Miranda Rights in the Spanish language both signed the form indicating that they understood their rights and were willing to provide a sworn statement without the presence of an attorney.

#1:

Nereyda GUTIERREZ-Velasco, a citizen of Mexico, stated that she and her husband, Jorge David Gonzalez-Vega were to pay \$4,000 USD each to be smuggled into the United States but had only paid \$1000.00 cash each, and they were to pay the rest of the money upon arriving in Hot Springs, Arkansas.

She went on to state that while in Mexico the group was taken to the river on March 9, 2015 around 1 p.m. where they waited until about 7 p.m. They eventually crossed illegally into the United States and were instructed to run to the immediate car and to get in. GUTIERREZ states that her husband was the first in the car and sat directly behind the driver, and she (Gutierrez) sat in the middle seat. Once in the car, GUTIERREZ noticed a female driver by the sound of her voice, when the female driver instructed them to duck down and hide. Gutierrez also noticed that the female had ugly, wet tint/dye on her head, indicating that the female driver had just dyed her hair. GUTIERREZ also noticed that the female driver was talking on the cell phone stating that she, the driver, was going to leave the car parked on the side of the road and leave them there just before the police stopped them.

When the police stopped them, GUTIERREZ noticed two subjects suddenly bail out and ran away. GUTIERREZ's husband instructed her not to run and to stay with him in the car. GUTIERREZ also noticed that the female driver was short in height when the driver was taken off the vehicle.

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**CONTINUATION:**

#2:

Jorge David Gonzalez Vega, citizen of Mexico, and his wife made arrangements with an unknown man in Mexico and paid \$2,000 dollars and about \$6,000 pesos to be smuggled into the United States. Subject stated that he crossed in a group of eight around 7:00 pm. After crossing into the United States, the guides returned to Mexico. Once in the United States, the group quickly ran up a hill, passing several houses and then loaded into a car that was waiting for them. Gonzalez explained that the group of five followed the instructions they were given and arrived to a car near a park. The five of them approached the vehicle and attempted to open the door but it was locked so they tapped on the glass window. Gonzalez stated that the female driver quickly unlocked the vehicle and they got inside the vehicle. The female driver then told them to get down and hide. Gonzalez was sitting in the back seat directly behind the driver's seat and could clearly notice that the driver was a young heavy set female with hair dye in her hair. He was also able to see hair dye stains on the side of her face and clothing. Gonzalez stated that the female driver then drove off until they were pulled over by law enforcement. Once the vehicle was at a complete stop two males that crossed the river with them quickly exited the vehicle and ran away.